

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA

| | | |
|--|---|---------------------------|
| Charles Edward Thomas, |) | C/A No. 0:14-4903-DCN-PJG |
| |) | |
| Plaintiff, |) | |
| |) | ORDER |
| v. |) | |
| |) | |
| South Carolina Department of Corrections; Jon |) | |
| Ozmint, <i>Former Prison Director</i> ; Medical |) | |
| Division; Budget Control; Financial Division; |) | |
| South Carolina Local Government, <i>In their</i> |) | |
| <i>individual and official capacities,</i> |) | |
| |) | |
| Defendants. |) | |
| _____ |) | |

This is a civil action filed by a state prisoner. Therefore, in the event that a limitations issue arises, Plaintiff shall have the benefit of the holding in *Houston v. Lack*, 487 U.S. 266 (1988) (prisoner's pleading was filed at the moment of delivery to prison authorities for forwarding to District Court). Plaintiff originally filed the Complaint in the United States District Court for the District of Columbia, which transferred the action to this court. (ECF No. 6.) Under Local Civil Rule 73.02(B)(2) DSC, pretrial proceedings in this action have been referred to the assigned United States Magistrate Judge.

MOTION AND DEMAND:

Plaintiff's motion (ECF No. 19) directs the court's attention to correspondence in this case, and to Plaintiff's appeal of an order issued in a prior civil action filed in this court. See Thomas v. South Carolina Dep't of Corr., C/A No. 0:14-302-DCN (D.S.C. Feb. 5, 2014). As the court has reviewed the information referenced by Plaintiff, his motion shall be granted in part. (ECF No. 19.) To the extent Plaintiff demands any other action by the court, the motion is denied.

TO THE CLERK OF COURT:

This case is subject to summary dismissal based on Plaintiff's failure to prosecute this case. Therefore, the Clerk of Court shall ***not*** issue the summonses or forward this matter to the United States Marshal for service of process at this time.

IT IS SO ORDERED.

February 20, 2015
Columbia, South Carolina



Paige J. Gossett
UNITED STATES MAGISTRATE JUDGE